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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,519	11/29/2001	Natsuko Yotsumoto	450101-03635	3537

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EXAMINER

CHOWDHURY, SUMAIYA A

ART UNIT PAPER NUMBER

2611

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/996,519	YOTSUMOTO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sumaiya A. Chowdhury	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12-29-03, 9-20-04</u> .   | 6) <input type="checkbox"/> Other: ____                                     |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 rejected under 35 U.S.C. 102(e) as being anticipated by Boyer (US 2006/0015906).

As for claim 1, Boyer discloses an information processing apparatus comprising:

first acquisition means (receiver) for acquiring the first information (TV broadcast)

– [0078], [0090], [0097], [0106];

first registration means (136 – Fig. 4) for registering the first subsidiary information required for acquiring said first information – (The welcome page (136) allows the user to register his zip code or city selection as shown in Fig. 8 in combination with registration page 162 – Fig. 9, such that the user could receive programming specific to one's area. – [0080], [0081], [0082], [0090], [0094]);

second acquisition means (receiver) for acquiring the second information (web content) – (It is an internet television [0053], [0055], [0057]);

second registration means (136 – Fig. 4) for registering the second subsidiary information required for acquiring said second information; - (The welcome page (136) allows the user to register his zip code or city selection as shown in Fig. 8 in combination with registration page 162 – Fig. 9, such that the user could receive programming specific to one's area. – [0080], [0081], [0082], [0090], [0094]);

verifying means (170 – Fig. 10) for verifying whether or not said first subsidiary information or said second subsidiary information has already been registered (If the user is registered, the local cable site page (170 – Fig. 10) is presented to the user and the user could select programming specific to his particular area. If not registered, another web page will be presented to the user such as element 124 in Fig. 4 where the user will have to enter in his zip code to start receiving programming specific to his particular area– [0082], [0090]);

said first registration means or said second registration means using, if one of said first subsidiary information and said second subsidiary information is already registered, said one subsidiary information already registered for registration of the other subsidiary information (Once the user registers oneself as discussed above, the system automatically registers for both the first information and second information since it is an internet television system as discussed above.).

As for claim 2, Boyer discloses:

said first acquisition means acquires the contents of the television broadcast as said first information - [0078], [0090], [0097], [0106];

said second acquisition means acquiring web contents as said second information from a server (20 – Fig. 1) over the Internet (24 – Fig. 1) – [0053], [0055].

As for claim 3, Boyer discloses said subsidiary information (zip code, city name) is the information pertinent to the broadcast territories for setting the reception channel in said television broadcast – [0078], [0080], [0081], [0082];

said second subsidiary information being the information pertinent to a provider (local cable system operator) for connection to said Internet – [0078], [0081], [0082].

Claims 4 and 5 contain the limitations of claim 1 and are analyzed as previously discussed with respect to those claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC



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